

BOARD OF SELECTMEN

February 22, 2011

Minutes

The Board of Selectmen met on Tuesday, February 22, 2011 in the Town Hall Clark Room. Those present were Selectmen John D. Williams, Douglas A. G. Stevenson, Peter Scavongelli, and John Gorecki. Town Administrator Timothy D. Goddard was also present.

Mr. Williams called the meeting to order at 7:00 p.m.

Town Administrator Report

Mr. Goddard said tonight *Interim Police Chief Len Wetherbee* is present to meet the Board and answer questions. Mr. Goddard said a formal agreement is ready for the Board to execute with Chief Wetherbee. Interim Police Chief Wetherbee spoke to the Board. He said he was grateful for the opportunity to serve the Town of Carlisle and he was glad to be here. Interim Chief Wetherbee talked positively about the Carlisle Police Force. He said they are an excellent group of core officers and they like and want to be here. He also commented that Lt. Crow has done an excellent job and has been most helpful to him since he has arrived.

Mr. Goddard introduced *Brendan Nunan*, who was present this evening to discuss his *Eagle Scout project* with the Selectmen. Mr. Gorecki recused himself from this discussion since he is the Boy Scout leader. Brendan explained that he is proposing to construct a hiking trail that will run from Church Street along the Green Cemetery to the Banta-Davis playing fields. The trail will measure 1200 feet long and 6 feet wide. Brendan said he has discussed this plan with the Conservation Commission and has received their approval. He said he needs the Board's permission as it involves Town-owned land and he needs the landowner's consent in order for the Conservation Commission to act on the Determination of Applicability. In response to Mr. Stevenson, Brendan said Gary Davis is aware of this project. In response to Mr. Scavongelli, Brendan said the project should take one day, as he hopes to have the help of about twenty additional Boy Scouts.

On a motion made by Mr. Stevenson and seconded by Mr. Scavongelli, it was **voted 3 yes 1 abstain** to permit Boy Scout Brendan Nunan to develop a pathway from Church Street to the existing Banta Davis Trail as shown on a map revised January 1, 2010. (attached hereto)

Mr. Goddard spoke to the Board about a request made from Wade Holtzman of *Still River Winery* in Harvard, MA. Mr. Holtzman has asked for two (2) one day licenses to sell wine at two Carlisle Winter Farmers' market events. It was noted that MGL Chapter 139, Sec 15F permits local licensing authorities to permit the sale of wine by Massachusetts Dept. of Agricultural-approved farm wineries at certain agricultural events. The Carlisle Winter Farmers' market qualifies as an agricultural event and Mr. Holtzman said selling the wine supports local agriculture. Mr. Stevenson noted that the Board should be consistent when answering these types of requests. He said there should be a reasonable policy for the community. Regarding the fee, Mr. Williams suggested \$25.00 to cover both events.

On a motion made by Mr. Scavongelli and seconded by Mr. Stevenson, it was **VOTED** to approve a one day license application form, pursuant to MGL Ch 138 Sec. 151 for Still River Winery for the dates and times listed on the application and for the fee of \$25.00.

Mr. Goddard informed the Board that the Snow and Ice removal costs have run into a deficit by \$40,000.00. He said MGL Chapter 44; Sec 31D requires that both the Selectmen and the Finance Committee approve of deficit spending for snow and ice removal. On a motion made by Mr. Stevenson and seconded by Mr. Gorecki, it was **VOTED** to authorize deficit spending in the snow and ice budget for FY11.

Mr. Goddard presented to the Board a *Change Order, No. 001*, for the School Building Project in the amount of \$19,109.00. He said the new contract sum; including this Change Order will be \$14,908,109.00.

On a motion made by Mr. Gorecki and seconded by Mr. Stevenson, it was **VOTED** to approve Change Order No. 001 to the Carlisle Public School Building Project in the amount of \$19,109.00.

Mr. Goddard said he has received a letter from a Concord Street resident expressing interest in purchasing a tax title parcel. Mr. Goddard said typically communities dispose of tax title properties through a competitive procurement process. He added that Finance Director Larry Barton has not sold any tax title property during his tenure but that he is willing to prepare a report for the Board on the eight to ten properties so that the issue can be viewed in the proper context. It was noted that most of the properties are small and unbuildable. Mr. Williams said he would like to look at the list first and then check with the Conservation Commission and Planning Board. This matter will be addressed at a future meeting.

Police Chief Search Process/Committee

Mr. Williams said it is necessary for the Board to discuss the process for finding a new Police Chief. He said there are many questions to consider when you are using an outside consultant. Mr. Williams said he and Mr. Goddard met with a consultant this morning and explored the costs. He said some consultants can help with the search committee and looking at resumes'. He said for an additional cost they will create and run an assessment center. Mr. Williams said a Search Committee has not been discussed or formed yet. Mr. Scavongelli asked if the Town has ever used a Consulting Firm in this area before. Mr. Stevenson said no, but the School has. Mr. Goddard said the Consultant takes direction for the Search Committee.

Mr. Williams said at this mornings meeting, the consultant said it would take 4 ½ to 6 months to get a Police Chief hired. It was Mr. Williams' opinion that we should send out the RFP and start to form a Search Committee. Mr. Stevenson asked how the consultant would be paid. Mr. Goddard said there are funds in the FY12 budget that will provide for this expense and part will be incurred in this fiscal years budget.

On a motion made by Mr. Stevenson and seconded by Mr. Gorecki it was **VOTED** to authorize the Town Administrator to develop and send out an RFP for Recruitment and Assessment Firms to be used to select a new Police Chief for the Town of Carlisle.

Search Committee Discussion

Mr. Williams suggested that there be seven or eight members on the Search Committee. On a motion made by Mr. Stevenson and seconded by Mr. Scavongelli it was **VOTED** to establish a Search Committee for the Carlisle Police Chief to include- one Selectman (John William), the Town Administrator, a member from the Council on Aging, a member from the School Committee, a member from the Personnel Board and two citizens at large: one preferably being a Restorative Justice member.

Mr. Williams said that for those who were watching this meeting, the Board is looking for people for the Search Committee. He added that an advertisement will go out for the Police Chief's position.

On a motion made by Mr. Stevenson and seconded by Mr. Gorecki it was **VOTED** to authorize the Town Administrator to place an advertisement for a Police Chief for the Town of Carlisle.

Consideration of BYOB/Carry-In Policy

Mr. Williams said we have received several different adjustments to the BYOB policy. He said Mr. Tice suggested eliminating paragraph 3, which refers to carrying in unopened containers and the amount to be consumed by each carrier.

Mr. Scavongelli said his changed draft had to do with placing the responsibility on the patrons. He addressed changes to paragraph 9.

Mr. Williams said he did not agree. He said the burden is to enforce limits and rules on Ferns. Mr. Gorecki said setting limits will help ease some of the negative comments that were made during the public hearings.

Mr. Stevenson said he was fine with the limits.

Mr. Bearfield said in regard to paragraph 3, it is necessary to put some responsibility on the customers. He said he cannot stop them from going out and bringing more alcohol in. He does not have a manager standing there watching. Mr. Williams told Mr. Bearfield we don't have anyone else to enforce these limits but you, or the manager at Ferns. Mr. Gorecki said during the Public Hearings the residents asked how the limits were going to be enforced. There was a brief discussion over paragraph 9.

On a motion made by Mr. Gorecki and seconded by Mr. Stevenson it was **voted 3 yes 1 no** to substitute the word management for manager in paragraph 9.

The Board discussed a fee for the BYOB License. Mr. Williams said he was aware that in some instances fees for these types of licenses went from \$250.00 to \$1,000.00. Mr. Bearfield said presently he pays \$25.00 for his Victuallers License, \$1,000.00 for his Beer & Wine License and \$25.00 for the Board of Health Food permit. He said he would have to sell 12 cases of wine to cover the cost of a \$500.00 license. Mr. Williams recommended the fee for the BYOB license be set at \$250.00 annually. Mr. Scavongelli said it should be the same as the Victuallers license that is \$25.00. Mr. Stevenson said he did not agree with \$250.00, but felt it should not be above \$100.00. Mr. Gorecki suggested setting the fee at \$50.00.

On a motion made by Mr. Stevenson and seconded by Mr. Gorecki, it was **VOTED** to set the fee for a Carry-in License at \$50.00 annually.

On a motion made by Mr. Stevenson and seconded by Mr. Gorecki, it was **voted 3 yes 1 no** to adopt the Carry-in License Policy as amended [changes manager to management] dated February 22, 2011.

FY12 Budget/ATM Warrant – Coordination Meeting

Mr. Williams said tonight the Board would go over the FY12 Budget with the Finance Committee and review a *draft* of the Annual Town Meeting Warrant. He said the Warrant is due to close on March 22nd. David Guarino, David Verrill, and Jerry Lerman were present from the Finance Committee. David G said they have been working on the Budget since early Fall by going through projections. He said they sent out letters to the Departments in September and then met with each one to discuss their concerns. David G said the Guideline letter was sent out during the first week of January 2011.

David G presented a Summary Spreadsheet. Mr. Williams noted that the FinCom was using \$278,000.00 of Free Cash in the Budget. David G said \$75,000.00 of that amount would be used towards paying back the 3rd and last payment to the Stabilization fund.

As they went through some of the Department Budgets, David V noted that the Council on Aging was getting an additional \$11,000.00. He said this is for additional hours and for the added services the Council on Aging does beyond their scope of work.

David V said a few weeks ago the Finance Committee attended a meeting with Moody's. David said Carlisle has the second highest possible bond rating. David G spoke about OPEB. He said it is not premature to address this issue. The FinCom is supportive of establishing a trust fund, but not fund it at this time.

Mr. Stevenson spoke briefly about the debt on the School project. He commented that the debt excluded debt is going down. David G said the bulk of their time is spent on the budget.

Long Term Capital Requirements Don Rober was present to talk about some requests that have been made to Long Term Caps. He said DPW Superintendent Gary Davis would like to replace his 1979 Mack truck. The Fire station parking lot needs to be repaved at a cost of about \$50,000.00. Don added that the Energy Task Force has strongly recommended repairs [rebates available] to the Town Hall. Don said these items will not fit into the levy limit Budget. He asked the Finance Committee if they wanted to do debt *exclusion* or free cash transfer for these items.

David V said Long Term Caps would meet with the Finance Committee in an upcoming meeting.

Mr. Williams thanked the Finance Committee for their hard work.

Warrant

Mr. Ralph Anderson of Baldwin Road read to the Board two proposed Warrant Articles, 18 and 19 relative to the Highland Building. The first article asked if the Town would vote to permanently terminate all preservation activities and expenditures that were voted under Article 22 (part3) of the 2009 Annual Town Meeting, which appropriated \$455,000 from the Community Preservation Historic Fund and the Community Preservation undesignated fund for the Selectmen to expend for the preservation of the Highland Building by the installation and upgrading of fire safety, plumbing and heating systems, and by repairing the exterior façade of the building, including roof, chimney, siding windows, and front porch and stairs, and to return any unspent funds to appropriate Community Preservation Funds, or take any action relative thereto. The second article asked to see what sums of money the Town would raise and appropriate, transfer from available funds, or borrow pursuant to any applicable statute, to be spent by the Board of Selectmen to pay for the demolition of the Highland Building or take any action relative thereto.

Mr. Anderson said the purpose for the first article was to give the Town another year to think about what this building was going to be used for and was it worth saving. He felt it was necessary to stop everything for one year until we had something definitive.

Mr. Stevenson said the cost to demolish the building was almost \$250,000.00.

Mr. Scavongelli said two members from the Highland Building Committee were present tonight to give an update on the project. Nathan Brown, vice chair of the committee spoke to the Board. He said in the beginning two separate Highland committees were formed, one for *construction* and the other for *future use*. Mr. Brown said it was difficult trying to coordinate these meetings and therefore they decided to join both into one. The first task they undertook was sending out an RFP for an architect. In March, 2010 Menders, Torrey and Spencer, Inc. was hired by the Town of Carlisle. Mr. Brown said the Building has suffered set backs; the boiler has failed and it was necessary to put in a temporary sprinkler system. Three attempts with RFPs have been made with poor results due to timing. Mr. Brown said last week a new RFP has gone out and the Committee is hopeful. The Bids are due on March 9th.

Bill Fink, a member of the School Committee and Highland Building Committee also spoke to the Board. In regard to the future uses of this building, Bill was very optimistic. He was of the opinion that the Housing Authority, Council on Aging, Recreation Commission, and Historical Society would have an interest in this building. Bill also said that recently the Carlisle Kidz House Extended Day showed great interest in the Building. Their interest was received well by the School Committee and Administration.

Mr. Stevenson said he was not sure how this motion should be presented; that is, should the Community Preservation Committee present this article. Mr. Anderson said he is only recommending that the work be delayed on the building. Mr. Goddard said he would bring this article to Town Counsel's attention. Mr. Gorecki asked if we waited a year, and did nothing to the building during that time, what affect would that have on the building. Mr. Scavongelli said there is no heat, so there could be further deterioration. Mr. Stevenson suggested discussing this matter further.

Mr. Goddard went through the Warrant Articles.

Article 1 Town Reports

Article 2 through 9 is the consent agenda, which Mr. Goddard explained are the routine articles that are non-controversial.

Article 10 FY11 Budget Transfers

Article 11 FY12 Operating Budget

Article 12 Capital Equipment – Long term Caps

Article 13 Authorization and Establishment of a Trust for OPEB

Article 14 Rescind Authorized but Unissued Debit

Article 15 Concord-Carlisle Reg. School Dist. Technology Stabilization Fund – article from John Flaherty

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Approved: 3-8-11

Article 16 Council on Aging – Social worker fee \$3,500
Article 17 Planning Board Profession Fees
Article 18 Terminate Highland Building Preservation Activities
Article 19 Appropriate Funds to Demolish Highland Building
Article 20 Rescission of Community Preservation Act [citizen's article proposed to increase the percentage to 3% also]
Article 21 CPA Authorization
Article 22 Fiscal year 2012 Stabilization Account Transfer – Debt Service
Article 23 Fiscal Year 2012 Free Cash Transfer – to increase Stabilization Account
Article 24 Fiscal Year 2012 Transfer Free Cash
Article 25 Solar Bylaw
Article 26 Mannis Land Survey – discussion whether ConsCom could use other funds for this Survey
Article 27 Community Septic Management Program – Expanding the program to more money and more time.

Mr. Williams said the Board would postpone their discussion on Goals until the next meeting.

Appointments

Governor's appointment to Housing Authority

On a motion made by Mr. Stevenson and seconded by Mr. Gorecki it was unanimously **VOTED** that the Board of Selectmen will send a letter to the Governor requesting the appointment of Carolyn K.H. Ing to the Carlisle Housing Authority as the Governors Representative.

On a motion made by Mr. Stevenson and seconded by Mr. Gorecki it was **VOTED** to appoint Jack O'Connor to serve in Sylvia Sillers place on the Historical Commission while she is convalescing or until after the Annual Town Meeting.

Minutes

On a motion made by Mr. Scavongelli and seconded by Mr. Gorecki it was unanimously **VOTED** to approve the Minutes to the Board of Selectmen meeting of February 8, 2011.

Liaison Reports

Mr. Stevenson said the Honor Roll Memorial Committee met today and as mentioned previously they were short funds to pay the last of their bills on this project. He said they have collected \$2,000.00 and another \$2,000.00 is still needed, however the Committee would like to pay the Project Manager Stanley Durlacher the amount owed him, which is \$2,000.00. On a motion made by Mr. Stevenson and seconded by Mr. Gorecki it was **VOTED** to act on the recommendation of the Honor Roll Committee and issue payment of \$2,000.00 to Stanley Durlacher for his services as Project Manager of the new Town of Carlisle Honor Roll Memorial.

The meeting adjourned at 10:17 p.m.

Respectfully submitted by Margaret deMare